

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
 ZONING VARIANCE *
 N/S Chatsworth Ave, 154.38' NE * ZONING COMMISSIONER
 of c/l Sacred Heart Lane *
 85 Sacred Heart Lane, 11 Glyndon * OF BALTIMORE COUNTY
 Gate Way, 15 Glyndon Gate Lake *
 aka Lots 6,19 & 20 Glyndon Gate * Case No. 95-12-SPHA
 Subdivision *
 4th Election, 3rd Councilmanic *
 Chatsworth Partnership, Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing and Variance for three lots in the Glyndon Gate Subdivision located in Glyndon, Maryland. Special Hearing relief is requested to approve an amendment to the Second Amended Final Development Plan for the aforementioned subdivision, pursuant to Section 1B01.3.A.7 of the Baltimore County Zoning Regulations (BCZR). As to the variances, three separate variances are sought. They are:

1. For lot 6, a variance from Section 504 of the BCZR and Section V.B.6.a of the Comprehensive Manual of Development Policies (CMDP) to permit a window to proposed development right of way setback of 18 ft. in lieu of the required 25 ft. approved in case No. 92-170-A;

2. For lot 20, a variance from Section 1B01.2.C.1 of the BCZR to permit a building to building setback of 15 ft. in lieu of the required 20 ft. approved in case No. 92-170-A;

3. For lot Nos. 19 and 20, a variance from Section 504 of the BCZR and Section V.B.6.a of the CMDP to permit a window to proposed development right of way setback of 20 ft. in lieu of the required 25 ft. approved in case No. 92-170-A.

The subject property and requested relief is more particularly shown on the site plan, submitted and received as Petitioner's Exhibit No. 1.

ORDER RECEIVED FOR FILING
 Date 8/19/94
 By M. D. Bradford

MICROFILMED

Appearing at the public hearing held for this case was H. Neil Glasser, a partner in Chatsworth Partnership, property owner. Also present was Jim Kline with G.W. Stephens, Jr. and Associates, Inc. The Petitioner was represented by Robert A. Hoffman, Esquire. Appearing in opposition to the request was Roger Rebetsky who is under contract to purchase a dwelling presently under construction on lot No. 21 of the subdivision.

This is the second special hearing/variance case which has recently come before this Zoning Commissioner for this subdivision. Previously, variance relief and special hearing relief was granted for lot No. 4.

As noted in the opinion rendered in that case, the subdivision is a mix of single family houses and townhouses in the Glyndon section of Baltimore County. Vehicular access to the community is by way of Reisterstown Road to Chatsworth Avenue and Sacred Heart Lane.

As noted above, three variances are requested. The first relates to lot No. 6 which is on the east side of the development. Variance relief is requested for this lot to allow a front yard setback of 18 ft. from a window in the front of the proposed dwelling to the right of way line. In this respect, testimony and evidence offered was that lot No. 6 fronts Sacred Heart Lane which curves near this property. Moreover, the lot is immediately adjacent to a storm water management facility, the placement of which has reduced the developable area for lot No. 6. Construction of the house, where proposed, would provide the Developer with flexibility to build a number of different models which are available and are being marketed for this community. Moreover, the front building line would be consistent with the depth of other dwellings which are located on the east side

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Date

by

9/18/88
M. J. [Signature]

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of Sacred Heart Lane. For these reasons, a grant of the variance requested appears appropriate.

The main source of contention at the hearing relates to the proposed variances for lots Nos. 19 and 20. In essence, two variances are sought for each. The first relates to the front yard setback provided. In each case, the proposed dwellings are shown to be 20 ft. from the front line of the building envelope to the proposed development right of way line. The Developer and his Consultant explained that this distance was necessary due to the unusual configuration of these lots and the curvature of Glyndon Gate Way. Specifically, the public roadway fronting these lots curves at this location which reduces the depth of the lots. In order to present a consistent scheme of development in terms of front yard setback and preserve the necessary rear yard setbacks, the proposed variance of 5 ft. is requested. Moreover, this will also allow the Developer to construct any number of the models which are presently offered at this community. Due to these site constraints and considerations, I believe that this variance is also appropriate.

The last variance relates to distances between the houses for lots Nos. 19, 20 and 21. In effect, a variance was requested here to avoid a domino effect for all of the dwellings which are on the south side of Glyndon Gate Way beginning with lot No. 14 to the east through lot No. 21 to the west. As shown on the site plan and previously approved Final Development Plan, the proposed building widths do not allow for a 10 ft. side yard setback on each side for each lot. Mr. Kline testified in great length about this issue and offered several schematics marked as Petitioner's 4A through 4C. Testimony was also received from Mr. Glasser, in this

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Date

By

8/18/90
M. J. Cook

respect, as well as Mr. Rebetsky, who will occupy the dwelling under construction on lot No. 21.

After consideration of all of the testimony and evidence offered which is contained within the record of this case, I am persuaded to grant the variance requested with modifications. First, I will require a distance of 18-1/2 ft. between the dwelling under construction on lot No. 21 and the future dwelling on lot No. 20. This is but 18 inches shorter than required and appears appropriate, particularly in view of the open space on the west side of lot No. 21. In order to provide for this distance between these two dwellings, I will allow a distance of 16-1/2 ft. between the proposed dwellings on lots Nos. 19 and 20. This will be accomplished by way of a 9-1/2 ft. building to property line distance on lot No. 20 and a 7 ft. distance from building to property line on lot No. 19. In that the houses on these lots are not, as yet, built, relief as outlined above appears appropriate. That is, it will not be prejudicial to any person who has contracted to purchase a lot and dwelling while providing the Petitioner with the necessary flexibility in its marketing efforts. Moreover, I will add a restriction prohibiting any additional construction in the side yards, outside of the building envelopes.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxa-

ORDER RECEIVED FOR FILING

Date

By

tion than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App.

28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variance will be in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of August 1994, that, pursuant to the Petition for Special Hearing, approval to amend the Second Amended Final Development Plan for the aforementioned subdivision, pursuant to Section 1B01.3.A.7 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 8/19/94
By M. P. Cook

IT IS FURTHER ORDERED that for lot No. 6, a variance from Section 504 of the BCZR and Section V.B.6.a of the Comprehensive Manual of Development Policies (CMDP) to permit a window to proposed development right of way setback of 18 ft., in lieu of the required 25 ft., approved in case No. 92-170-A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that for lot No. 20, a variance from Section 1B01.2.C.1 of the BCZR to permit a building to building setback of 15 ft., in lieu of the required 20 ft., approved in case No. 92-170-A, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that for lot Nos. 19 and 20, a variance from Section 504 of the BCZR and Section V.B.6.a of the CMDP to permit a window to proposed development right of way setback of 20 ft. in lieu of the required 25 ft., approved in case No. 92-170-A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

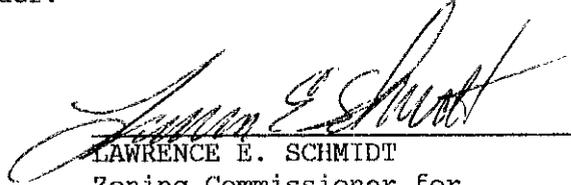
1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall be prohibited from any additional construction in the side yards outside of the building envelopes.
3. The Petitioner shall provide a distance of 18-1/2 ft. between the dwelling under construction on lot No. 21 and the future dwelling on lot No. 20, and a setback of 16-1/2 ft. between the proposed dwellings on lots Nos. 19 and 20 shall be required. This will be accomplished by way of a 9-1/2 ft. building to property line distance on lot No. 20 and a 7 ft.

ORDER RECEIVED FOR FILING
Date 5/19/98
By M. Noah

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MAY 20 1998

distance from building to property line on lot
No. 19.

4. When applying for a building permit, the
site plan and landscaping plan filed must
reference this case and set forth and address the
restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

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8/19/98
M. Gorak

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 18, 1994

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing and Zoning Variances
Case No. 95-12-SPHA
Chatsworth Partnership, Petitioners

Dear Mr. Hoffman:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Hearing and Zoning Variances have been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
att.

cc: Mr. H. Neil Glasser
Chatsworth Partnership
8805 Columbia 100 Parkway, Suite 100
Columbia, Maryland 21045

cc: Mr. Roger Rebetsky
12-F Windmill Chase
Sparks, Maryland 21152





Petition for Special Hearing

95-12--SPHA

to the Zoning Commissioner of Baltimore County

for the property located at

85 Sacred Heart Way, 11 Glyndon Gate Way, and
15 Glyndon Gate Way (Lot Nos. 6, 19 & 20 of
the Glyndon Gate Subdivision

which is presently zoned

DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

an Amendment to the 2nd Amended

Final Development Plan for the Glyndon Gate Subdivision pursuant to Section
1B01.3.A.7 of the Baltimore County Zoning Regulations

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

Robert A. Hoffman

(Type or Print Name)

Signature

Venable, Baetjer and Howard

Address 210 Allegheny Avenue Phone No

Towson, MD 21204

City

State

Zipcode

Legal Owner(s)

Chatsworth Partnership

(Type or Print Name)

BY:

Signature

Richard Azrael, General Partner

(Type or Print Name)

Signature

8805 Columbia 100 Parkway

Suite 100

720-0400

Address

Phone No

Columbia, MD

21045

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Robert A. Hoffman, Esq.

Name 210 Allegheny Avenue

Address Towson, MD 21204

494-6262

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY:

R.A.H.

DATE

7-12-94

ITEM # 12



MICROFILMED





Petition for Variance

95-12-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at

85 Sacred Heart Way, 11 Glyndon Gate Way, and
15 Glyndon Gate Way (Lot Nos. 6, 19 & 20 of the
Glyndon Gate Subdivision
which is presently zoned DR 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section (See attached sheet)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) (to be addressed at hearing)

Property is to be posted and advertised as prescribed by Zoning Regulations

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

Robert A. Hoffman

(Type or Print Name)

Signature

Venable, Baetjer and Howard
210 Allegheny Avenue

Address

Phone No

Towson

MD

21204

City

State

Zipcode

Legal Owner(s)

Chatsworth Partnership

(Type or Print Name)

By:

Signature

Richard Azrael, General Partner

(Type or Print Name)

Signature

8805 Columbia 100 Parkway

Suite 100

720-0400

Address

Phone No

Columbia

MD

21045

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

Robert A. Hoffman, Esquire

Name

210 Allegheny Avenue

TOWSON

MD

21205

494-6262

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY

P.T.

DATE

7-12-94

ITEM# 12

Petitioner: Chatsworth Partnership
Property Located at: 85 Sacred Heart Lane,
11 Glyndon Gate Way, and 15 Glyndon Gate Way

Variance Request

The Petitioner herein requests the following three variances:

- (1) for Lot No. 6, a variance from Section 504 Baltimore County Zoning Regulations ("BCZR") and Section V.B.6.a of the Comprehensive Manual of Development Policies to permit a window to proposed development right-of-way setback of 18 feet in lieu of the required 25 feet approved in Case No. 92-170-A;
- (2) for Lot No. 20, a variance from Section 1B01.2.C.1 BCZR to permit a building-to-building setback of 15 feet in lieu of the required 20 feet approved in Case No. 92-170-A;
- (3) for Lot Nos. 19 and 20, a variance from Section 504 BCZR and Section V.B.6.a of the Comprehensive Manual of Development Policies to permit a window to proposed development right-of-way setback of 20 feet in lieu of the required 25 feet approved in Case No. 92-170-A.

95-12-SPHA

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

Description to Accompany a
Special Hearing and Petition for Variance:

June 24, 1994

RE: Lots 6, 19 and 20
"Glyndon Gate"

Area 1:

Beginning at a point located westerly 323 feet± from point of intersection of the center lines of Sacred Heart Lane and Glyndon Gate Way thence in a clockwise direction:

- 1 - South 06° 26' 22" West 101.91 feet±
- 2 - North 83° 34' 20" West 108.00 feet±
- 3 - North 06° 26' 22" East 97.02 feet±
- 4 - South 83° 33' 28" East 60.20 feet± and
- 5 - By a curve to the right having a radius of 235.00 feet±, L = 48.13 feet±

to the place of beginning.

Containing .24 acres of land more or less.

Also being known as Lots 19 and 20 of "Glyndon Gate", Plat No. 62/4.

Area 2:

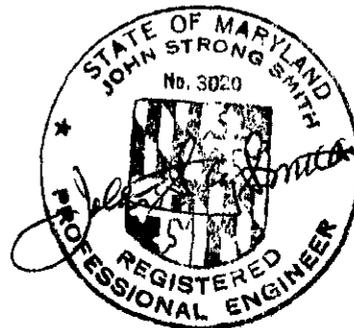
Beginning at a point located southeasterly 42 feet± from the point of intersection of the center lines of Sacred Heart Lane and Glyndon Gate Way thence in a clockwise direction:

- 1 - North 06° 21' 44" East 352.19 feet±
- 2 - North 45° 23' 17" East 8.20 feet±
- 3 - South 08° 47' 18" East 344.75 feet± and
- 4 - North 81° 12' 42" West 98.69 feet± to the place of beginning.

Containing .41 acres of land more or less.

Also being known as Lot 6 of "Glyndon Gate", Plat No. 62/4.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY



ITEM # 12

MICROFILMED

95-12-SPHA

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

Description To ACCOMPANY
PETITION FOR A SPECIAL HEARING

REF: "GLYNDON GATE"
DATE: 6/24/94

Beginning at a point North 43° 41' 38" East 154.38' from the center line intersection of Chatsworth Avenue and Sacred Heart Lane, said point being the southeast corner of the described parcel on the west side of a 25' private alley thence the following courses and distances:

- 1) North 84° 08' 43" West 490.53 feet
 - 2) North 05° 51' 17" East 148.50 feet
 - 3) North 83° 34' 20" West 294.96 feet
 - 4) South 06° 36' 41" West 10.82 feet
 - 5) North 89° 18' 49" West 101.76 feet
 - 6) South 05° 47' 54" West 128.94 feet
 - 7) North 84° 20' 18" West 299.99 feet
 - 8) North 06° 24' 52" West 487.11 feet
 - 9) North 06° 41' 35" West 700.83 feet
 - 10) North 84° 44' 58" East 410.78 feet
 - 11) North 78° 50' 08" East 692.69 feet
 - 12) South 08° 47' 18" West 1491.92 feet to the point of beginning.
- Containing 32.99± acres of land .

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND IS NOT INTENDED FOR CONVEYANCE



ITEM # 12

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-12-SPHA

District H 6th

Date of Posting 7/22/94

Posted for: Special Hearing + Variance

Petitioner: Chatsworth Partnership

Location of property: 95 Sacred Heart Lane - 11415 Glynndon Gate Way

Location of Signs: Post on #95 (lot #6) Sacred Heart Lane, Facing roadway, opposite Glynndon Gate Way

Remarks: _____

Posted by M. J. [Signature]
Signature

Date of return: 7/29/94

Number of Signs: 1

7/29/94



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-12-SPHA (Item 12)
85 Sacred Heart Lane
11 Glyndon Gate Way
15 Glyndon Gate Lake
a/k/a Lots 6, 19 and 20 of
The Glyndon Gate
Subdivision
N/S Chatsworth Avenue,
154.38' NE of
c/ Sacred Heart Lane
4th Election District
3rd Councilmanic
Petitioner(s):
Chatsworth Partnership
HEARING: TUESDAY,
AUGUST 16, 1994 at 9:00
a.m. in Rm. 118, Old
Courthouse.

Special Hearing: to approve an amendment to the 2nd Amended Development Plan for the Glyndon Gate Subdivision. **Variance:** for lot #8 to permit a window to proposed development right-of-way setback of 18 feet in lieu of the required 25 feet approved in case #92-170-A; for lot #20 to permit a building-to-building setback of 15 feet in lieu of the required 20 feet approved in case #92-170-A; and for lots #19 and #20 to permit a window to proposed development right-of-way setback of 20 feet in lieu of the required 25 feet approved in case #92-170-A.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped accessible; for special

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 29, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on July 28, 1994.

THE JEFFERSONIAN,
A. Henrickson
LEGAL AD. - TOWSON



Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21284

receipt
 95-12-5PHA

Account: R-091-6150

Number 12

Date 7-12-94

CHATSWORTH PARTNERSHIP

SACRED HEART PARTNERSHIP &
 GLYNDON GATE WAY -

RT

OIO - VARIANCE (3 LOTS) - \$ 150⁰⁰

CAD - ZPH - \$ 250⁰⁰

PCD - SIGNS (2) TWC - \$ 70⁰⁰

TOTAL - \$ 470⁰⁰

REGISTERED

03A03H0507M1EHR

\$470.00

EA CODE:49PM07-12-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 12

Petitioner: Chatsworth Partnership

Location: 85 Sacred Heart ~~Way~~ 11 Glyndon Gate Way
& 15 Glyndon Gate Way

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormrod

ADDRESS: Venable

210 Allegany Ave, Towson, Md 21085

PHONE NUMBER: 494-6201

AJ:ggs

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
July 28, 1994 Issue - Jeffersonian

Please forward billing to:

Barbara W. Ormond
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, Maryland 21204
494-6201

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-12-SPHA (Item 12)
85 Sacred Heart Lane
11 Glyndon Gate Way
15 Glyndon Gate Lake
aka Lots 6, 19 and 20 of The Glyndon Gate Subdivision
N/S Chatsworth Avenue, 154.38' NE of c/l Sacred Heart Lane
4th Election District - 3rd Councilmanic
Petitioner(s): Chatsworth Partnership
HEARING: TUESDAY, AUGUST 16, 1994 at 9 a.m. Rm. 118 Old Courthouse.

Special Hearing to approve an amendment to the 2nd Amended Development Plan for the Glyndon Gate Subdivision.

Variance for lot #6 to permit a window to proposed development right-of-way setback of 18 feet in lieu of the required 25 feet approved in case #92-170-A; for lot #20 to permit a building-to-building setback of 15 feet in lieu of the required 20 feet approved in case #92-170-A; and for lots #19 and #20 to permit a window to proposed development right-of-way setback of 20 feet in lieu of the required 25 feet approved in case #92-170-A.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 25, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-12-SPHA (Item 12)

85 Sacred Heart Lane

11 Glyndon Gate Way

15 Glyndon Gate Lake

aka Lots 6, 19 and 20 of The Glyndon Gate Subdivision

N/S Chatsworth Avenue, 154.38' NE of c/l Sacred Heart Lane

4th Election District - 3rd Councilmanic

Petitioner(s): Chatsworth Partnership

HEARING: TUESDAY, AUGUST 16, 1994 at 9 a.m. Rm. 118 Old Courthouse.

Special Hearing to approve an amendment to the 2nd Amended Development Plan for the Glyndon Gate Subdivision.

Variance for lot #6 to permit a window to proposed development right-of-way setback of 18 feet in lieu of the required 25 feet approved in case #92-170-A; for lot #20 to permit a building-to-building setback of 15 feet in lieu of the required 20 feet approved in case #92-170-A; and for lots #19 and #20 to permit a window to proposed development right-of-way setback of 20 feet in lieu of the required 25 feet approved in case #92-170-A.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Chatsworth Partnership
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

August 2, 1994

(410) 887-3353

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 12, Case No. 95-12-SPHA
Petitioner: Chatsworth Partnership
Petition for Special Hearing and Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 12, 1994, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

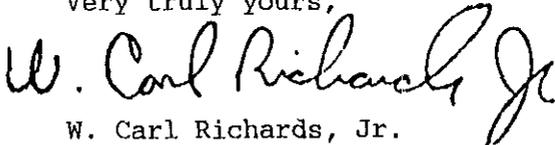


Zoning Plans Advisory Committee Comments
August 2, 1994
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,



W. Carl Richards, Jr.
Zoning Coordinator

WCR:jw

Enclosures

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 07/27/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 7, 9, 10, 12 AND 13.

RECEIVED

JUL 28 1994

ZADM

REVIEWER: L. F. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

*RECORDED
7/28/94*



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 PETITION FOR VARIANCE * ZONING COMMISSIONER
 85 Sacred Heart Lane, 11 Glyndon *
 Gate Way, 15 Glyndon Gate Lane, aka *
 Lots 6, 19 & 20 of The Glyndon Gate * FOR BALTIMORE COUNTY
 Subdivision, N/S Chatsworth Avenue, *
 154.38' NE of c/l Sacred Heart Lane * CASE NO.: 95-12-SPHA
 4th Election Dist., 3rd Councilmanic *
 *
 Chatsworth Partnership *
 Petitioner *

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio
 CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
 PETER MAX ZIMMERMAN

WILSON & WILSON



Maryland Department of Transportation
State Highway Administration

James Lightizer
Secretary
Hal Kassoff
Administrator

7-20-94

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 412 (RT)
95-12 - SPHA

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for DAVID N. RAMSEY, ACTING CHIEF
~~John Contestabile, Chief~~
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

95-12 SP11A
8/16

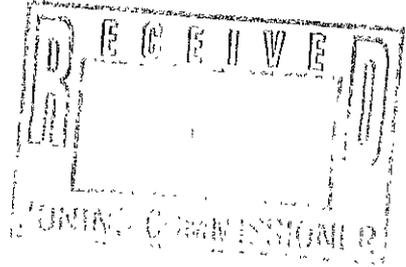
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 26, 1994

SUBJECT: Glyndon Gate Subdivision



INFORMATION:

Item Number: 12
Petitioner: Chatsworth Partnership
Property Size: _____
Zoning: D.R. 3.5
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

In order to mitigate the impact of the requested variances, staff recommends that no improvements other than landscaping be permitted in the side yards of the subject lots.

Prepared by: Jeffrey M. Long
Division Chief: Carol Kerns
PK/JL:lw

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 12, 1994

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. 95-12-SPH, Item No. 12
Chatsworth Partnership
Petition for Special Hearing and
Varaince

Dear Mr. Hoffman:

Enclosed are copies of comments received from the Office of
Planning and Zoning on August 11, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at
887-3391.

Sincerely,

Julie A. Winiarski
Julie A. Winiarski
Office Assistant

Enclosure



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: July 26, 1994

SUBJECT: Glyndon Gate Subdivision

INFORMATION:

Item Number: 12
Petitioner: Chatsworth Partnership
Property Size: _____
Zoning: D.R. 3.5
Requested Action: _____
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

In order to mitigate the impact of the requested variãnces, staff recommends that no improvements other than landscaping be permitted in the side yards of the subject lots.

Prepared by: Jeffrey M. Lutz

Division Chief: Carol L. Kerns

PK/JL:lw

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Rob Hoffman
JIM KLINE
H. NEIL GLASSER

ADDRESS
210 Allegheny Ave N209
658 Kenilworth Dr G. MISTERNES
8805 Columbia 100 PKY & ASSOC.

8805 COLUMBIA 100 PKY

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ROGER REBETSKY

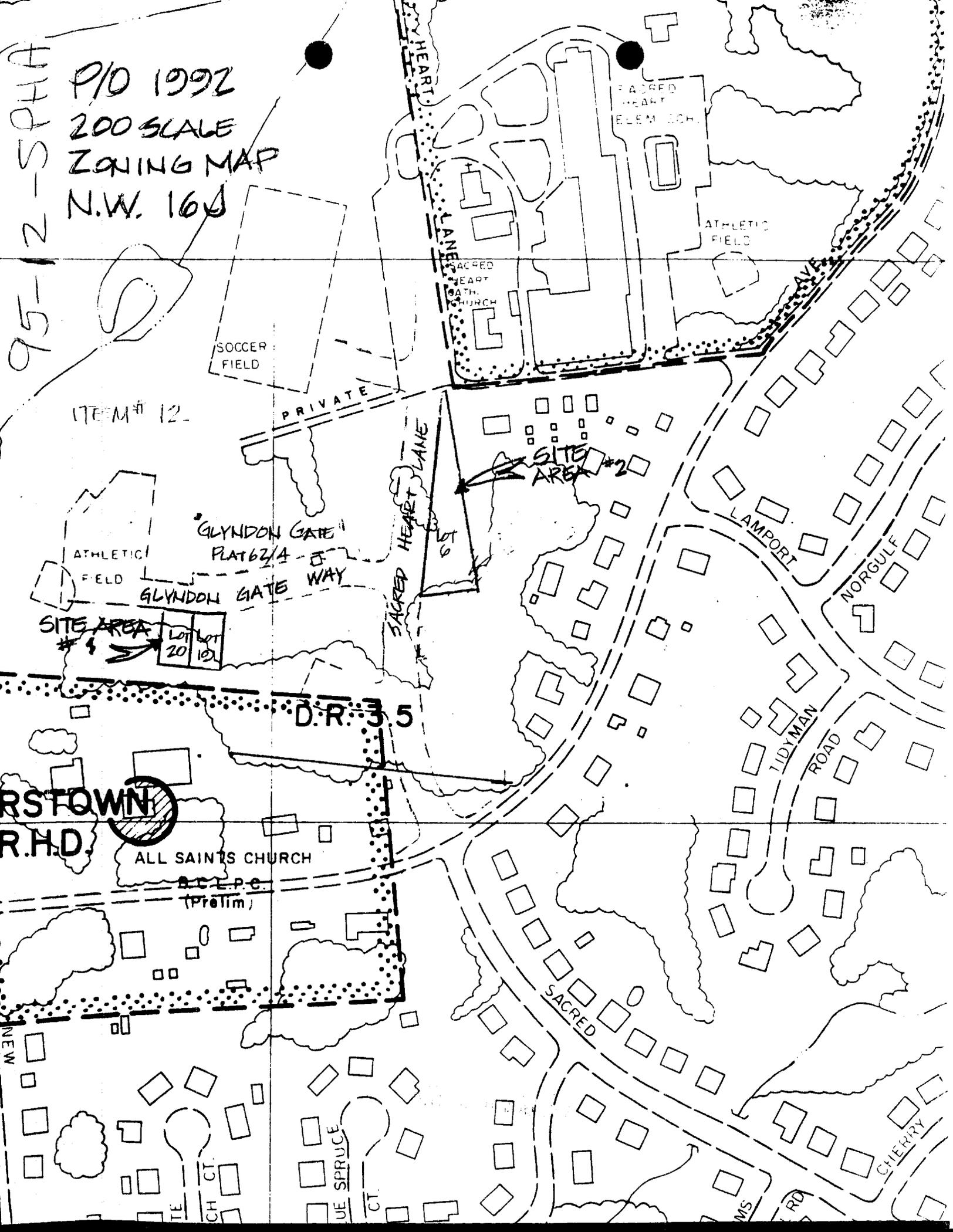
ADDRESS

12-E WINDMILL CHASE
SPARKS MD 21152
Purchasing 15 Glyndwr
Gate Way



95-12-5A

P/O 1992
200 SCALE
ZONING MAP
N.W. 160



ITEM # 12

SOCCER FIELD

SACRED HEART ELEM. SCH.

ATHLETIC FIELD

SACRED HEART BATH. CHURCH

GLYNDON GATE PLAT 62/4

ATHLETIC FIELD

GLYNDON GATE WAY

SITE AREA #1
LOT 20 LOT 10

SACRED HEART LANE CT

SITE AREA #2

LAMPION

NORGULF

D.R. 35

RSTOWN R.H.D.

ALL SAINTS CHURCH

Access (Prelim)

LIDYMAN ROAD

SACRED

UE SPRUCE CT.

CHERRY

Single Family Homes



3/A



THE DAVENPORT HOUSE

Glyndon Gate • 4 Glyndon Gate Way • Glyndon, Maryland 21136-9998 • (410) 526-GATE

Single Family Homes



3B

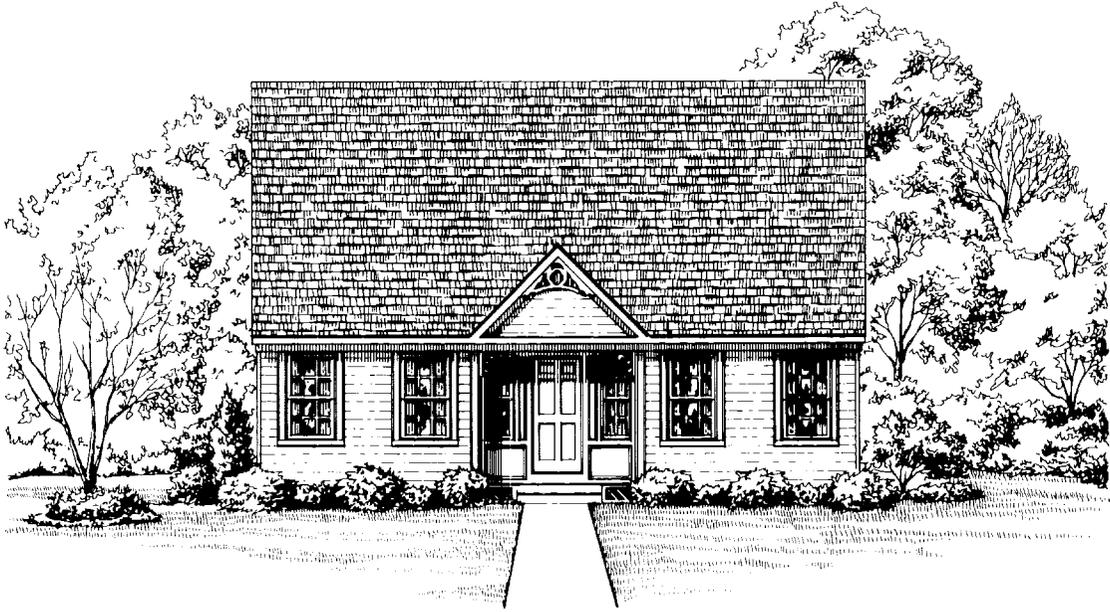


MICROFILMED

THE MONTROSE HOUSE

Glyndon Gate • 4 Glyndon Gate Way • Glyndon, Maryland 21136-9998 • (410) 526-GATE

Single Family Homes



34



MICROFILMED

THE NANTUCKET HOUSE

Glyndon Gate • 4 Glyndon Gate Way • Glyndon, Maryland 21136-9998 • (410) 526-GATE

Single Family Homes



THE SAGAMORE HOUSE

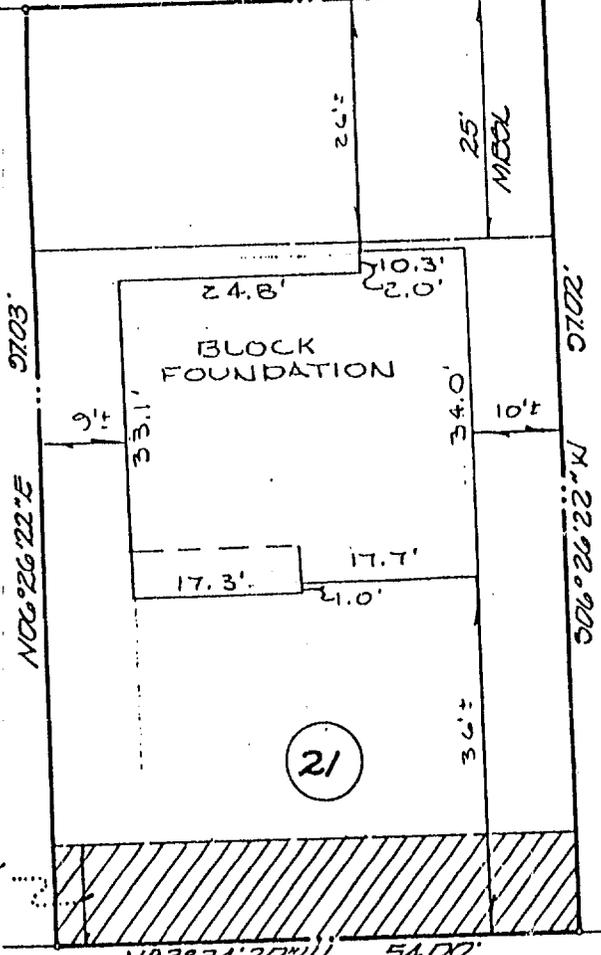
Glyndon Gate • 4 Glyndon Gate Way • Glyndon, Maryland 21136-9998 • (410) 526-GATE

MICROFILM

GLYNDON GATEWAY (50' R/W)

SCALE = 1" = 20'

$S83^{\circ}33'38"E$ 54.00'



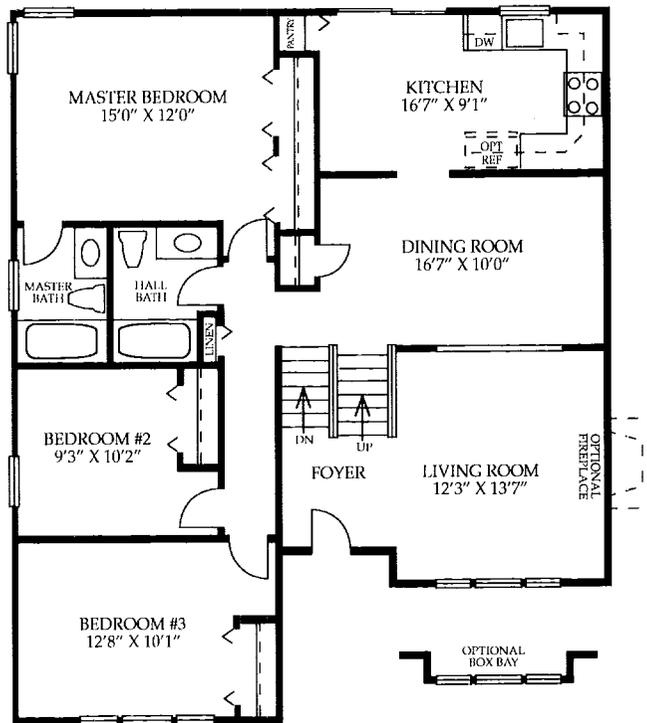
RTA BUFFER
HOA AREA

10' DRAINAGE AND UTILITY
EASEMENT

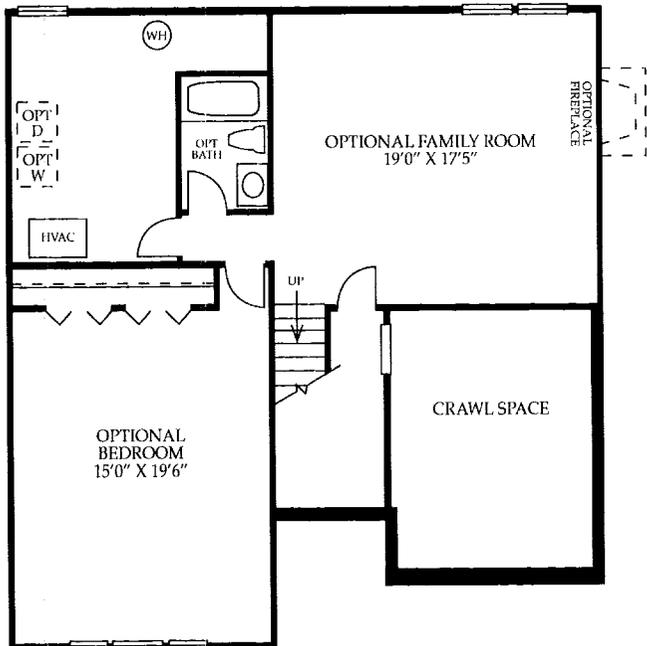
MBSL - MINIMUM BUILDING SETBACK LINE

NOTE THIS PROPERTY IS NOT LOCATED WITHIN
A 100 YEAR FLOOD PLAIN.

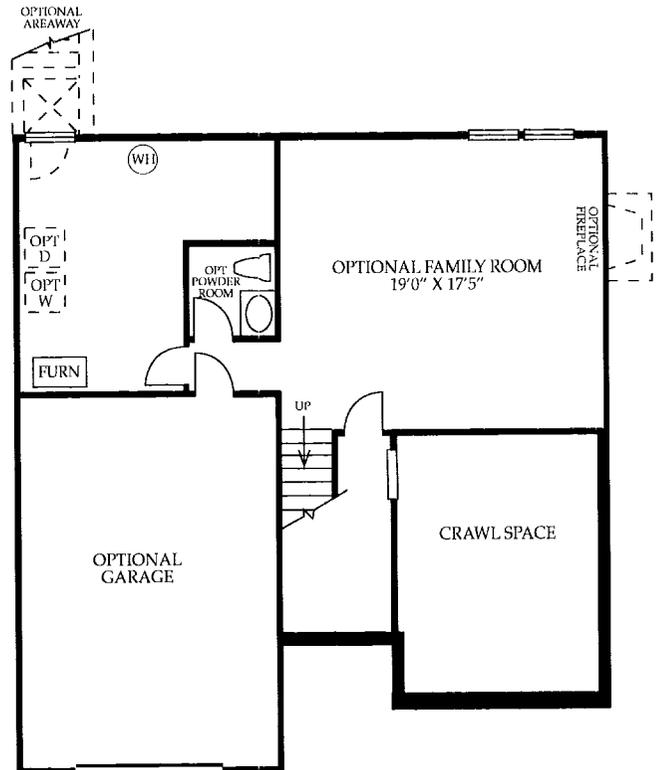
PROTESTANTS EXHIBIT NO. 1



ENTRY LEVEL



LOWER LEVEL

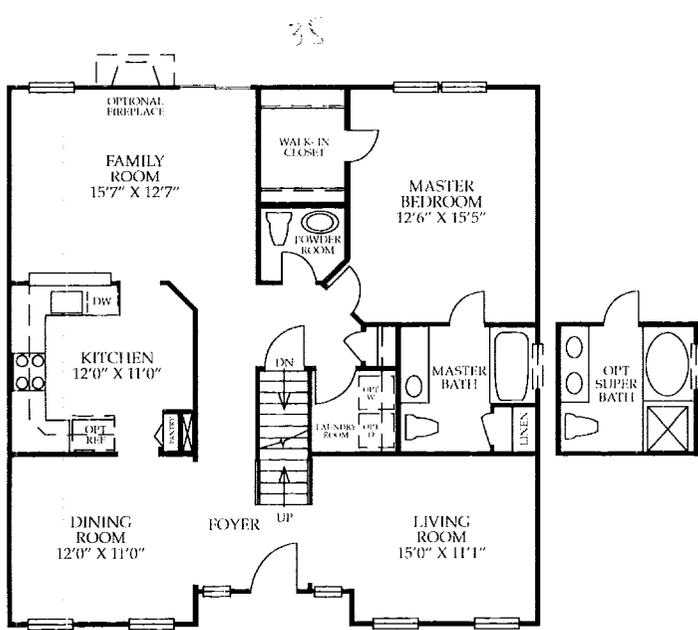


LOWER LEVEL WITH OPTIONAL GARAGE

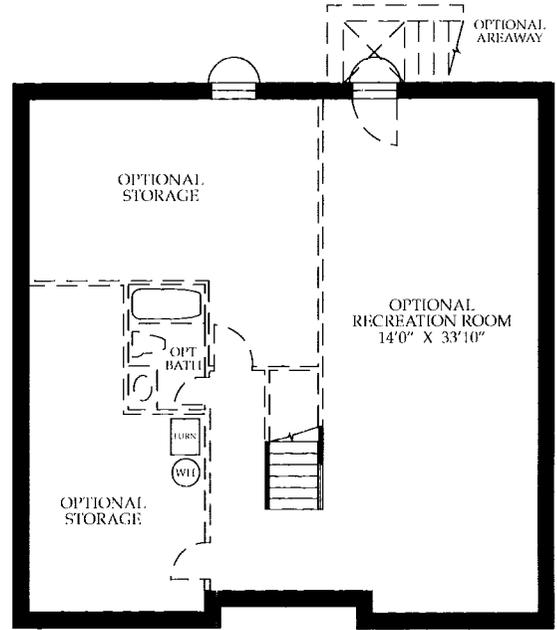
NOTE: Although all illustrations and specifications are believed correct at time of publication, accuracy cannot be guaranteed. The right is reserved to make changes, without notice or obligation.



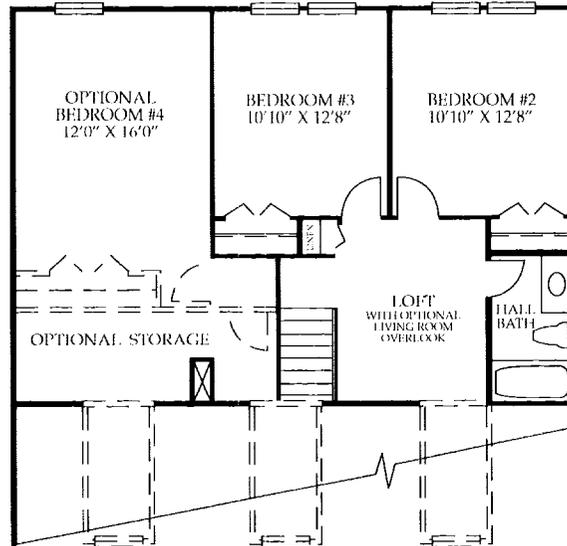
EQUAL HOUSING OPPORTUNITY



ENTRY LEVEL



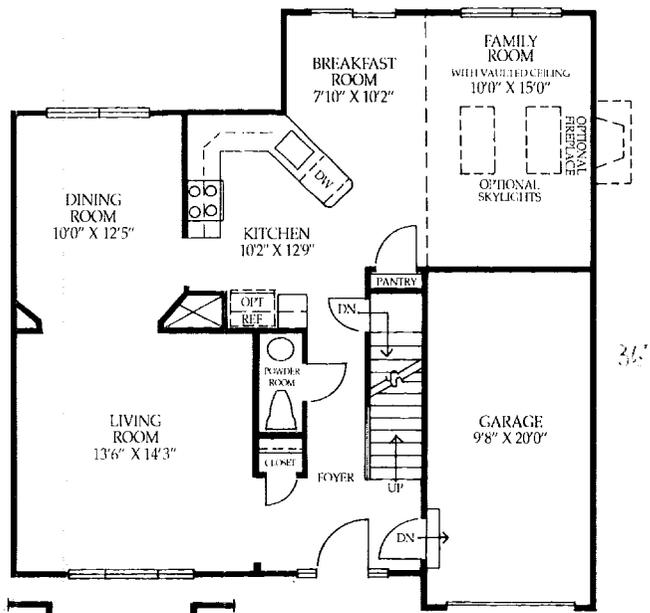
LOWER LEVEL



UPPER LEVEL

NOTE: Although all illustrations and specifications are believed correct at time of publication, accuracy cannot be guaranteed. The right is reserved to make changes, without notice or obligation.



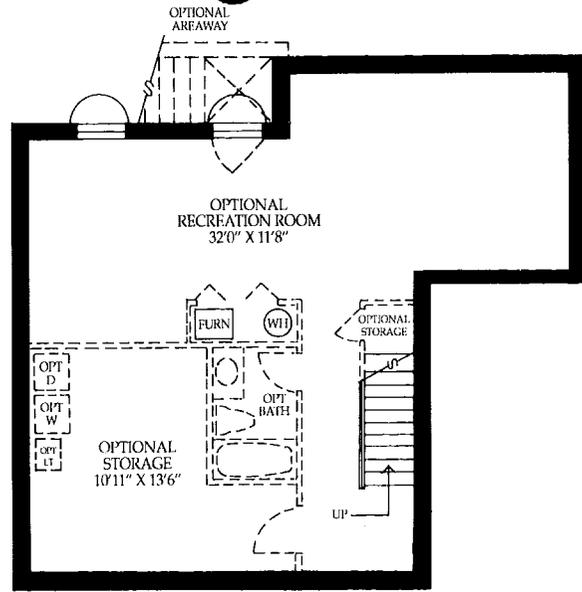


OPTIONAL BOX BAY

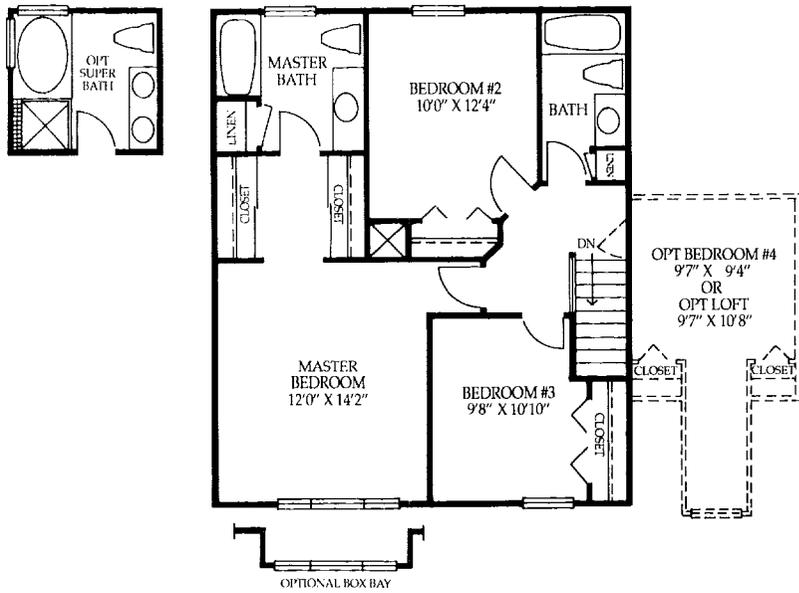


OPTIONAL ANGLED BAY

ENTRY LEVEL



LOWER LEVEL



OPTIONAL BOX BAY

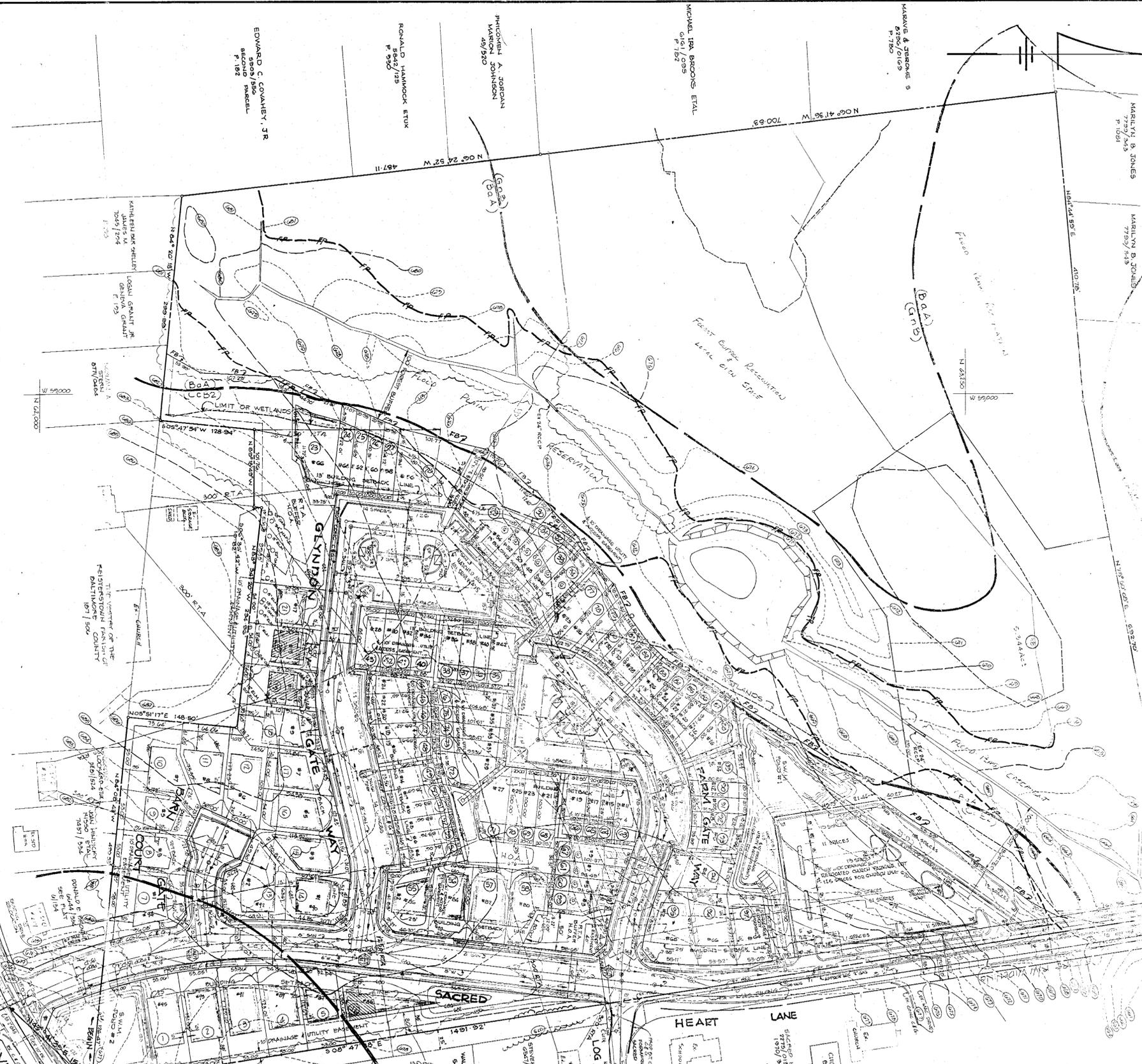
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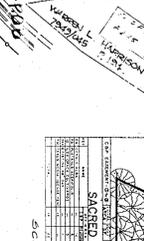
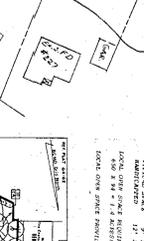
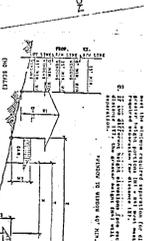
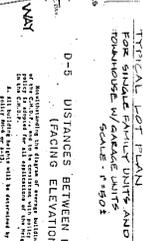
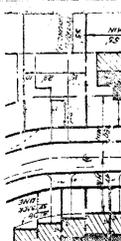
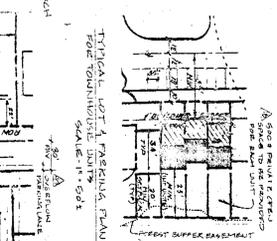
EQUAL HOUSING OPPORTUNITY

NO. 1	DATE	DESCRIPTION



NOTES

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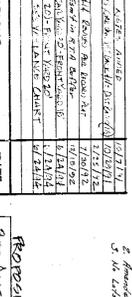
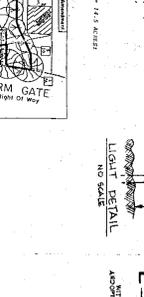
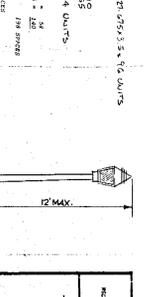
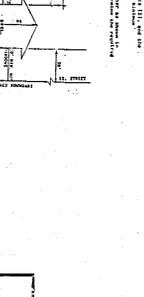
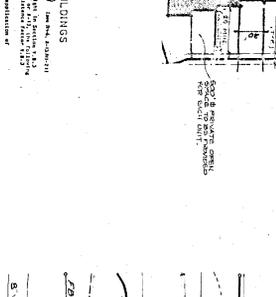
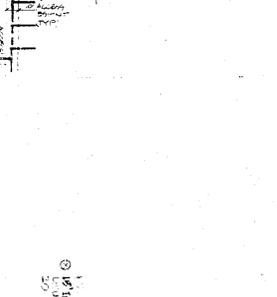


VARIANCE

NO.	DESCRIPTION	EXISTING	PROPOSED	REASON
1	Setback	10'	5'	...
2
3
4
5
6
7
8
9
10

LEGEND

- PROPERTY BOUNDARY
- EXISTING CONTOURS
- PROPOSED CONTOURS
- SOIL TYPES & LIMITATIONS
- STREET LIGHTS
- R.T.A. BUFFER
- 100 YEAR FLOOD PLAN
- TRASH RACKS
- LIMIT OF WETLANDS
- PROPOSED SUNKEN CANALS
- PROPOSED SANITARY
- PROPOSED WATER



REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

FINAL DEVELOPMENT PLAN

GLYNDON GATE
FORMERLY KNOWN AS SACRED HEART

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'

PLAT TO ACCOMPANY A TENTATIVE RECORDING HEARING

DATE: 12-15-92

1. To the Hon. Vice-Chief Clerk of the Court of Baltimore County, Maryland, for the purpose of recording this plat.

2. To the Hon. Vice-Chief Clerk of the Court of Baltimore County, Maryland, for the purpose of recording this plat.

OFFICE OF PLANNING AND ZONING

APPROVED BY: _____

DIRECTOR OF PLANNING

DATE: 12/15/92

OFFICE OF PLANNING AND ZONING

APPROVED BY: _____

DIRECTOR OF PLANNING

DATE: 12/15/92

OFFICE OF PLANNING AND ZONING

APPROVED BY: _____

DIRECTOR OF PLANNING

DATE: 12/15/92

OFFICE OF PLANNING AND ZONING

APPROVED BY: _____

DIRECTOR OF PLANNING

DATE: 12/15/92

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
633 KENNEDY DRIVE, SUITE 100
TOWSON, MARYLAND 21284
(410) 253-8200

THE MOST REVEREND FRANCIS P. McGOUGH
ROMAN CATHOLIC ARCHBISHOP OF BALTIMORE
65 SACRED HEART LANE
GLYNDON, MD 21071
443-5515

THE CHATSWORTH PARTNERSHIP
SUITE 215, CHATSWORTH CENTER EAST
1177 REISTERSTOWN ROAD
BALTO, MARYLAND 21209
496-7929

OWNER:
THE MOST REVEREND FRANCIS P. McGOUGH
ROMAN CATHOLIC ARCHBISHOP OF BALTIMORE
65 SACRED HEART LANE
GLYNDON, MD 21071
443-5515

DEVELOPER:
THE CHATSWORTH PARTNERSHIP
SUITE 215, CHATSWORTH CENTER EAST
1177 REISTERSTOWN ROAD
BALTO, MARYLAND 21209
496-7929

FINAL DEVELOPMENT PLAN
GLYNDON GATE
FORMERLY KNOWN AS SACRED HEART
BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'

OFFICE OF PLANNING AND ZONING
APPROVED BY: _____
DIRECTOR OF PLANNING
DATE: 12/15/92

OFFICE OF PLANNING AND ZONING
APPROVED BY: _____
DIRECTOR OF PLANNING
DATE: 12/15/92

OFFICE OF PLANNING AND ZONING
APPROVED BY: _____
DIRECTOR OF PLANNING
DATE: 12/15/92

OFFICE OF PLANNING AND ZONING
APPROVED BY: _____
DIRECTOR OF PLANNING
DATE: 12/15/92

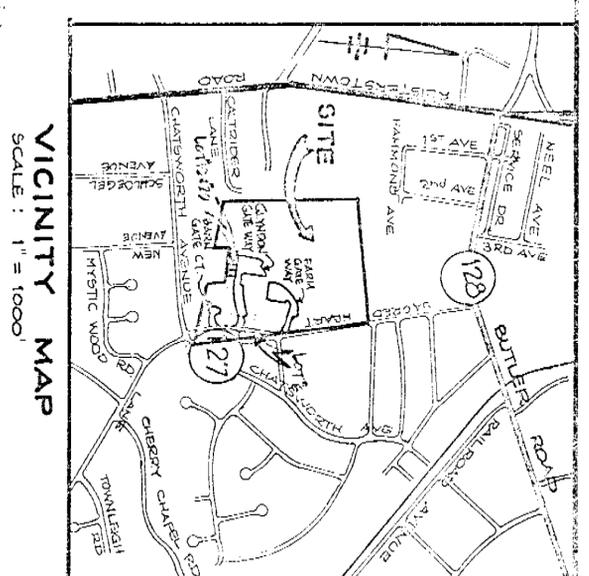
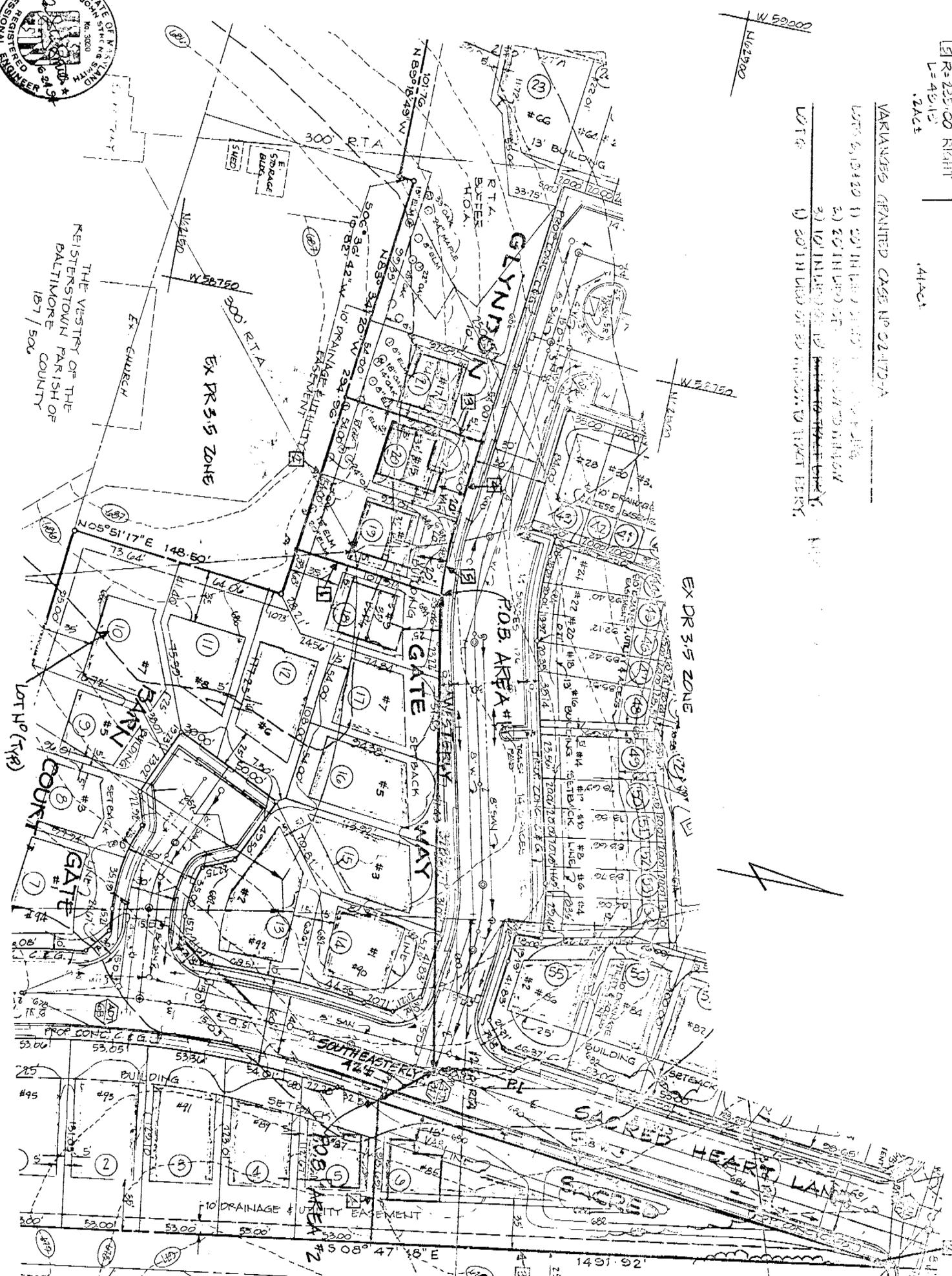
DESCRIPTIONS	LOT 6
LOT 6 19420	1) N07°21'44"E 552.01'
	2) N45°23'17"E 53.50'
	3) N06°27'22"E 570.21'
	4) S05°47'19"E 344.73'
	5) N01°12'42"W 98.13'
	R=235.00 RIGHT
	L=49.15'
	.24AC1
	.41AC1

VARIANCES GRANTED CASE NO. 02-173-A

LOT 6 19420 1) 20' IN LIEU OF 25' WINDOW TO PROPOSED DEVELOPMENT R/W (C.D.T. 504) C.M.D.R. SECT V.B. & 2

2) 20' IN LIEU OF 25' WINDOW TO PROPOSED DEVELOPMENT R/W (C.D.T. 504) C.M.D.R. SECT V.B. & 2

3) 20' IN LIEU OF 25' WINDOW TO PROPOSED DEVELOPMENT R/W (C.D.T. 504) C.M.D.R. SECT V.B. & 2



PETITIONER'S EXHIBIT No 1

* LOTS SPECIAL HEARING WILL BE FOR THE 3RD AMENDMENT F.D.P. DATED 6/24/94

* PLAT TO ACCOMPANY A SPECIAL HEARING TO AMEND A.F.D.P. AND

PLAT TO ACCOMPANY A PETITION FOR VARIANCE LOTS 6, 19 AND 20 PLAT OF "GLYDTON GATE" 62/4

PAID TO AND - EUGT. DIST. # 4 - CONCLUSIVE DIST. # 3

SCALE: 1"=50'

PART: 6/24/94

VARIANCES REQUESTED

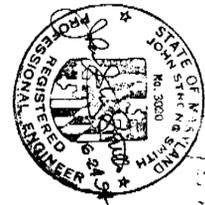
- 1) LOT 6: 15' IN LIEU OF 25' WINDOW TO PROPOSED DEVELOPMENT R/W (C.D.T. 504) C.M.D.R. SECT V.B. & 2
- 2) LOT 20: 15' IN LIEU OF 25' WINDOW TO PROPOSED DEVELOPMENT R/W (C.D.T. 504) C.M.D.R. SECT V.B. & 2
- 3) LOT 19: 20' IN LIEU OF 25' WINDOW TO PROPOSED DEVELOPMENT R/W (C.D.T. 504) C.M.D.R. SECT V.B. & 2

OWNER

CHATS WORTH PARTNERSHIP
C/O CHATEAU BUILDERS, INC.
8905 COLUMBIA 100 PARKWAY
SUITE 100
COLUMBIA, MD 21045
PHONE: 722-0420

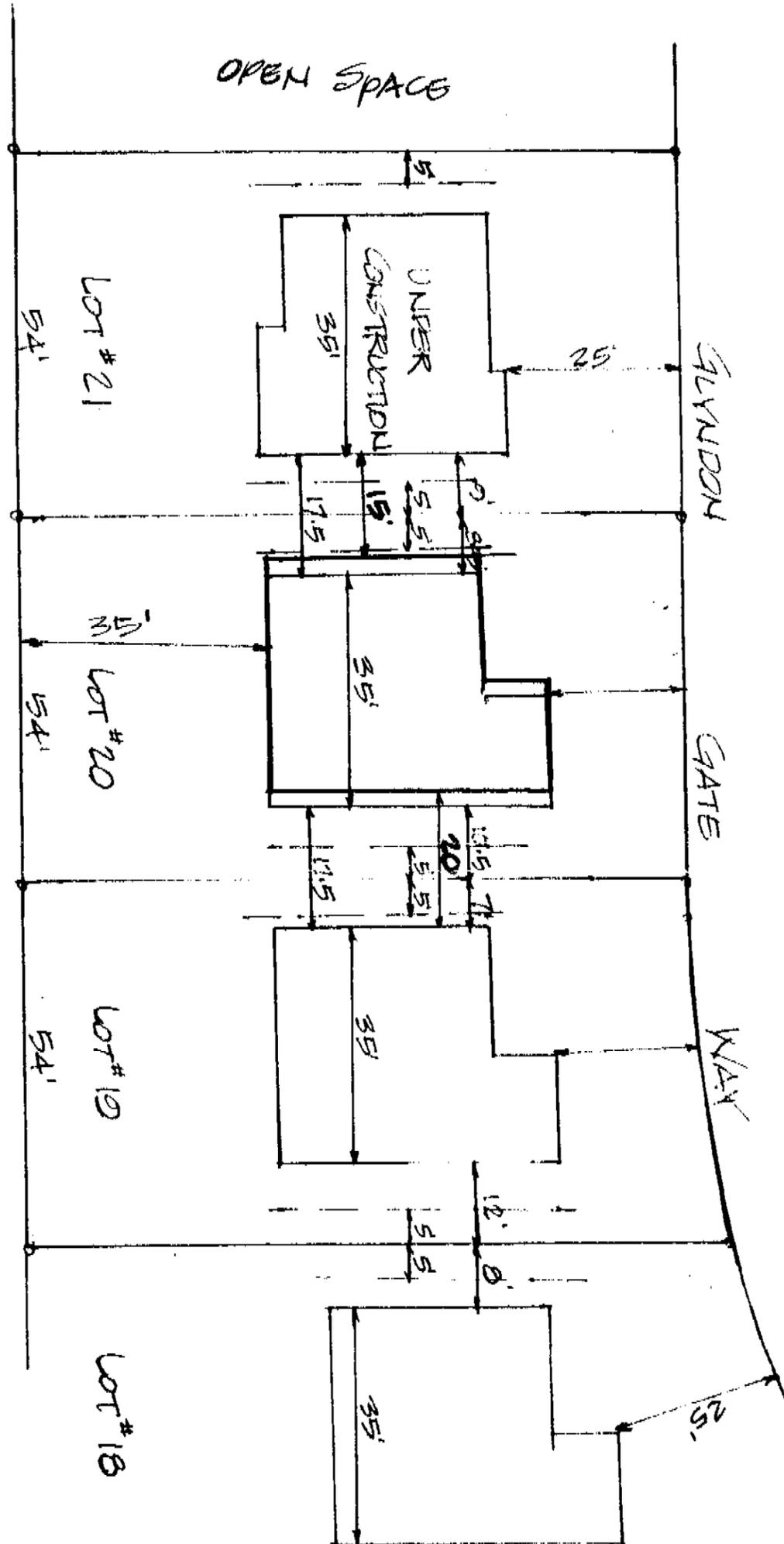
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS

658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21284
(410) 825-8120



J.S.K:mas

VARIANCE 15' IN LIEU OF 20'



Lot 18

95-12-SPHA

D.R. 3.5

GLYNDON N.R.H.D.

'GLYNDON GATE' SITE

PRIVATE

D.R. 3.5

REISTERSTOWN N.R.H.D.

REISTERSTOWN

ALL SAINTS CHURCH
B.C.L.P.C.
(Prelim)

POINT OF BEGINNING
N 43° 41' 50" E
154.38'

CHATSWORTH

127

BR

D.R. 3.5

MON
CARNIVAL
GROUNDS

BASE BALL PARK

BR

D.R. 3.5

MYSTIWOOD

WHITE CHURCH

ROAD

BLUE SPRUCE CT.

PART OF BALTIMORE COUNTY ZONING MAP
NW J-16 - 1992

SHOWING:

'GLYNDON GATE' PROPERTY

SCALE: 1" = 200'
DATE: JUNE 24, 1994

G.W. STEPHENS JR. & ASSOC

ITEM # 12

MICROFILMED

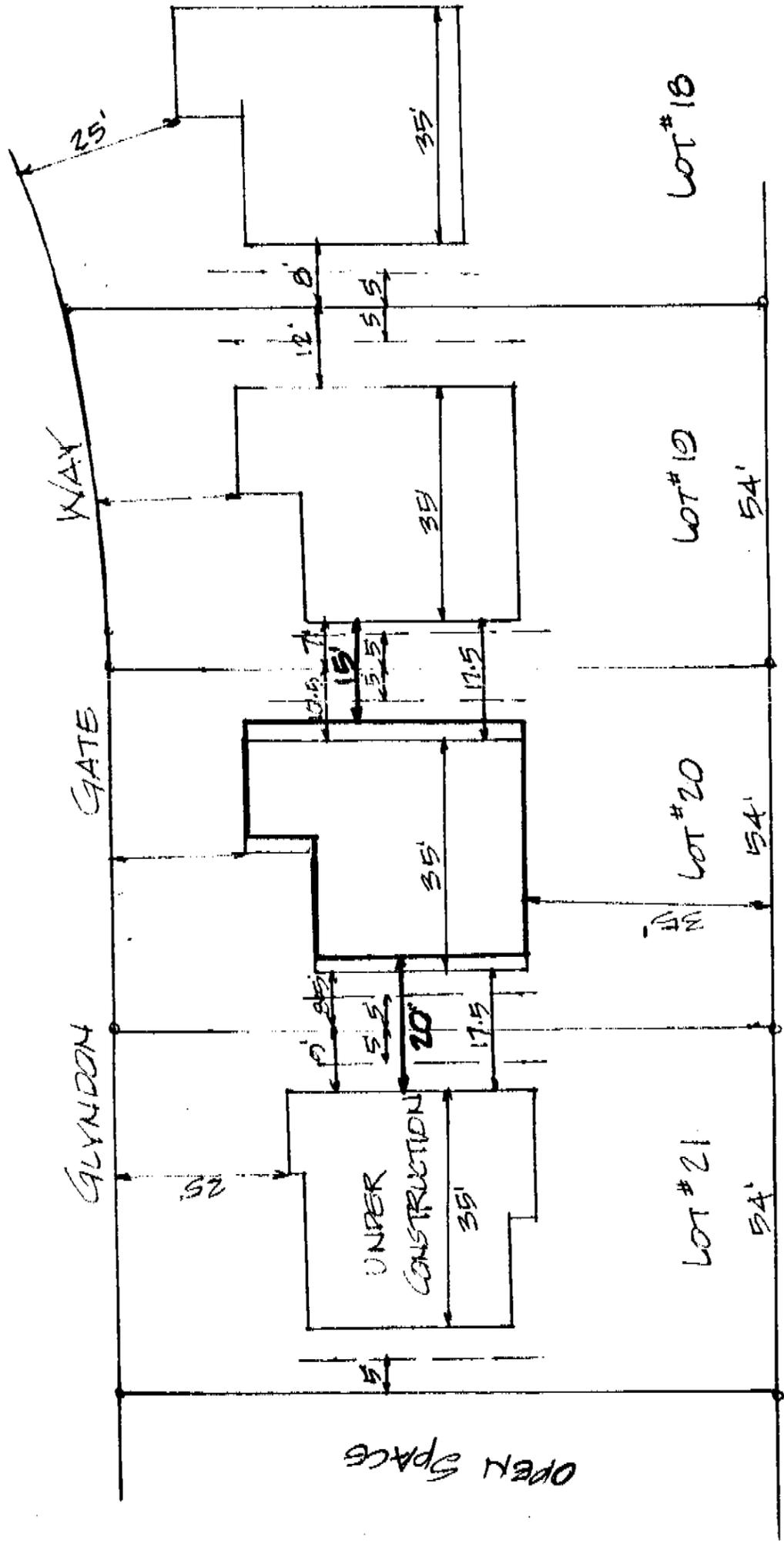
JACOB

LEE

CT

100
10

WARRANTY



VARIANCE 15' IN LIEU OF 20''